

IC 33-33-79.2

Chapter 79.2. Tippecanoe Superior Court No. 2

IC 33-33-79.2-1

Application

Sec. 1. IC 33-29-1 does not apply to this chapter.

As added by P.L.98-2004, SEC.12.

IC 33-33-79.2-2

Creation of superior court; election and term of judge

Sec. 2. There is created a court of record to be known as the Superior Court No. 2 of Tippecanoe County. The court has one (1) judge, who holds office for a term of six (6) years, beginning on the first day of January after the judge's election, and until the judge's successor is elected and qualified. The judge shall be elected every six (6) years at the general election.

As added by P.L.98-2004, SEC.12.

IC 33-33-79.2-3

Judicial district; court of record; seal

Sec. 3. Tippecanoe County constitutes the judicial district of superior court No. 2.

As added by P.L.98-2004, SEC.12.

IC 33-33-79.2-4

Clerk and sheriff of court; bailiff and official reporter

Sec. 4. (a) The clerk of the Tippecanoe circuit court shall be the clerk of superior court No. 2 of Tippecanoe County and the sheriff of Tippecanoe County shall be the sheriff of superior court No. 2 of Tippecanoe County. The clerk and sheriff shall attend court and discharge all the duties pertaining to their respective office as they are required to do by law with reference to the Tippecanoe circuit court.

(b) The judge of superior court No. 2 of Tippecanoe County shall appoint a bailiff and an official reporter for the court to serve during the court. The judge shall fix their compensation within the limits and in the manner provided by law concerning bailiffs and official court reporters. The compensation shall be paid monthly out of the treasury of Tippecanoe County, in the manner provided by law.

As added by P.L.98-2004, SEC.12.

IC 33-33-79.2-5

Location of court sessions; dockets, books, and records

Sec. 5. (a) Superior court No. 2 of Tippecanoe County shall hold sessions in a place to be determined by the county council of Tippecanoe County.

(b) The board of county commissioners of Tippecanoe County shall provide and maintain in the courthouse or at another convenient place as the board of commissioners or the judge of the court may provide at the county seat:

(1) a suitable and convenient courtroom for the holding of court; and

(2) a suitable and convenient jury room and offices for the judge and the official court reporter.

(c) The board of county commissioners shall provide all necessary furniture and equipment for the rooms and offices of the court and all necessary dockets, books, and records for the court.

(d) The county council shall make the necessary appropriations from the general fund of the county for the purpose of carrying out this chapter.

As added by P.L.98-2004, SEC.12.

IC 33-33-79.2-6

Jurisdiction

Sec. 6. Superior court No. 2 of Tippecanoe County has the same original and appellate jurisdiction possessed by the Tippecanoe circuit court in civil and criminal cases, but not in matters of probate or juvenile jurisdiction.

As added by P.L.98-2004, SEC.12.

IC 33-33-79.2-7

Judicial powers

Sec. 7. (a) The judge of superior court No. 2 of Tippecanoe County may make and adopt rules and regulations for conducting the business of superior court No. 2 of Tippecanoe County.

(b) The judge has all powers incident to a court of record in relation to the attendance of witnesses and punishment for contempt and the power to enforce the judge's orders. The judge may:

(1) administer oaths;

(2) solemnize marriages;

(3) take and certify acknowledgments of deeds;

(4) give all necessary certificates for the authentication of records and proceedings of the court; and

(5) make and execute certificates of qualification and moral character of persons petitioning to be commissioned as notaries public.

As added by P.L.98-2004, SEC.12.

IC 33-33-79.2-8

Transfer of actions

Sec. 8. (a) The judge of the Superior Court No. 2 of Tippecanoe County may, with the consent of the judge of the superior court of Tippecanoe County, transfer any action, cause, or proceeding pending in superior court No. 2 of Tippecanoe County to the superior court of Tippecanoe County by transferring all original papers, instruments and orders filed in the action, cause, or proceeding without further transcript to be redocketed and disposed of as if originally filed with the superior court of Tippecanoe County, if:

(1) the action, cause, or proceeding could have been originally filed and docketed in the superior court of Tippecanoe County;

and

(2) both judges believe the transfer will expedite the disposition of the case, expedite the work of either court, or equalize the work load between the two (2) courts.

(b) The judge of the superior court of Tippecanoe County may, with the consent of the judge of the superior court No. 2 of Tippecanoe County, transfer any action, cause, or proceeding pending in the superior court of Tippecanoe County to the superior court No. 2 of Tippecanoe County by transferring all original papers, instruments, and orders filed in the action, cause, or proceeding without further transcript to be redocketed and disposed of as if originally filed with the superior court No. 2 of Tippecanoe County if:

(1) the action, cause, or proceeding could have been originally filed and docketed in the superior court No. 2 of Tippecanoe County; and

(2) both judges believe the transfer will expedite the disposition of the case, expedite the work of either court, or equalize the work load between the two (2) courts.

As added by P.L.98-2004, SEC.12.